

EXAMINER'S AMENDMENT

1. Claims 50, 56, 57, and 66-68 are allowable. The restriction requirement for the different species, as set forth in the Office action mailed on 3/10/2009, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claims 50, 56, 57, and 66-68, directed to different species are no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim.

In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

2. Claims 38-73 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHILIP S. KWON whose telephone number is (571)270-5230. The examiner can normally be reached on Mon - Fri 7:30-5, every other Fri off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Mitchell can be reached on (571)272-7069. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Philip S Kwon/
Examiner, Art Unit 3634

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